

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MARGARITO VILLA, et al.,

Plaintiffs,

v.

CV 09-0976 BB/WPL

DOÑA ANA COUNTY, et al.,

Defendants.

ORDER TO SHOW CAUSE

I entered an order on November 8, 2010 setting a telephonic status conference in this case. (Doc. 59.) The hearing was set for February 9, 2011 at 9:00 a.m., and Plaintiff's counsel was ordered to initiate and coordinate the conference call. (*Id.*) Plaintiff's counsel did not contact my chambers on February 9.

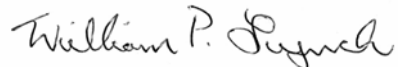
David P. Lutz, counsel for Defendants City of Las Cruces and City of Las Cruces Code Enforcement, did contact my chambers that morning. He represented that he attempted to contact Plaintiff's counsel and counsel for the other defendants but that he was unable to reach them. Counsel for the other defendants later contacted my chambers. To date, counsel for the Plaintiffs has made no attempt to contact my chambers regarding the missed hearing.

Failure to comply specific orders of the Court and failure to appear at pretrial hearings may result in the imposition of Rule 16 sanctions. *See* FED. R. CIV. P. 16(f). These sanctions may include dismissal of a party's claims with prejudice. *See Ehrenhaus v. Reynolds*, 965 F.2d 916, 920 (10th Cir. 1992).

Accordingly, the Plaintiffs must appear and show cause, if any, why sanctions should not be imposed as a result of their failure to comply with my Order of Telephonic Setting and their failure to appear at the status conference.

The show cause hearing will be held on **February 22, 2011 at 8:30 a.m.** in the **Organ Courtroom (4th Floor, South Tower)** of the United States Courthouse and Federal Building, **100 North Church Street, Las Cruces, N.M.** Counsel for the Plaintiffs must appear in person. Counsel for Defendant may appear either in person or by telephone. Defense counsel who wish to appear by telephone must advise my chambers at (575) 528-1660 by February 18, 2011 at 12:00 p.m.

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "William P. Lynch", is written over a horizontal line.

William P. Lynch
United States Magistrate Judge

A true copy of this order was served on the date of entry--via mail or electronic means--to counsel of record and any *pro se* party as they are shown on the Court's docket.